

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05 10596 NMG

THOMAS KELLEY,)
Plaintiff,)
)
V.)
)
TOWN OF PLYMOUTH and)
ROBERT J. POMEROY, as Chief of the)
Plymouth Police Department and)
Individually)
Defendants.)
)

AFFIDAVIT OF JEREMY SILVERFINE

I, Jeremy Silverfine, hereby depose and state the following is true and accurate to the best of my belief as follows:

1. I am an attorney at Brody, Hardoon, Perkins & Kesten, LLP, One Exeter Plaza, Boston, MA 02116, which represents the defendants in the captioned action.
2. Attachment 1 hereto is a true and accurate copy of the Complaint filed in action.
3. Attachment 2 hereto is a true and accurate copy of page excerpts from the Deposition of Thomas Kelley, Volume I, in this action.
4. Attachment 3 hereto is a true and accurate copy of page excerpts from the Deposition of Robert J. Pomeroy, in this action.
5. Attachment 4 hereto is a true and accurate copy an *Old Colony Memorial* Article; "Benefits paid without vote" dated September 6, 2001, in this action.
6. Attachment 5 hereto is a true and accurate copy of page excerpts from the Deposition of Thomas Kelley, Volume II, in this action.
7. Attachment 6 hereto is a true and accurate copy of Plaintiff's Answers to Defendants' First Set of Interrogatories, No. 11, in this action.
8. Attachment 7 hereto is a true and accurate copy of correspondence to "To Whom It May Concern" from Lydia Bazzano, M.D. dated May 27, 2003, in this action.

9. Attachment 8 hereto is a true and accurate copy of correspondence to Chief Pomeroy from Donald M. Moore, Jr., M.D. dated June 11, 2003, in this action.
10. Attachment 9 hereto is a true and accurate copy of correspondence to Thomas Kelley from Chief Robert Pomeroy dated June 24, 2003, in this action.
11. Attachment 10 hereto is a true and accurate copy of an email to Chief Pomeroy from Thomas Kelley dated July 3, 2003, in this action.
12. Attachment 11 hereto is a true and accurate copy of page excerpts from the Deposition of Paul Boyle, in this action.
13. Attachment 12 hereto is a true and accurate copy of page excerpts from the Deposition of Lawrence Rooney, in this action.
14. Attachment 13 hereto is a true and accurate copy of page excerpts from the Deposition of Michael Botieri, in this action.
15. Attachment 14 hereto is a true and accurate copy of Defendant, Town of Plymouth's Answers to Plaintiff's First Set of Interrogatories, Answer No. 22, in this action.
16. Attachment 15 hereto is a true and accurate copy of page excerpts from the Deposition of William R. Griffin, in this action.

/s/ Jeremy Silverfine
Jeremy Silverfine

Date: July 30, 2007